

PORSE
11.3.214.1
6/16/08

OIL RELEASE
1997

USEPA SF

1306540

August 29, 1997

To: United States Coast Guard

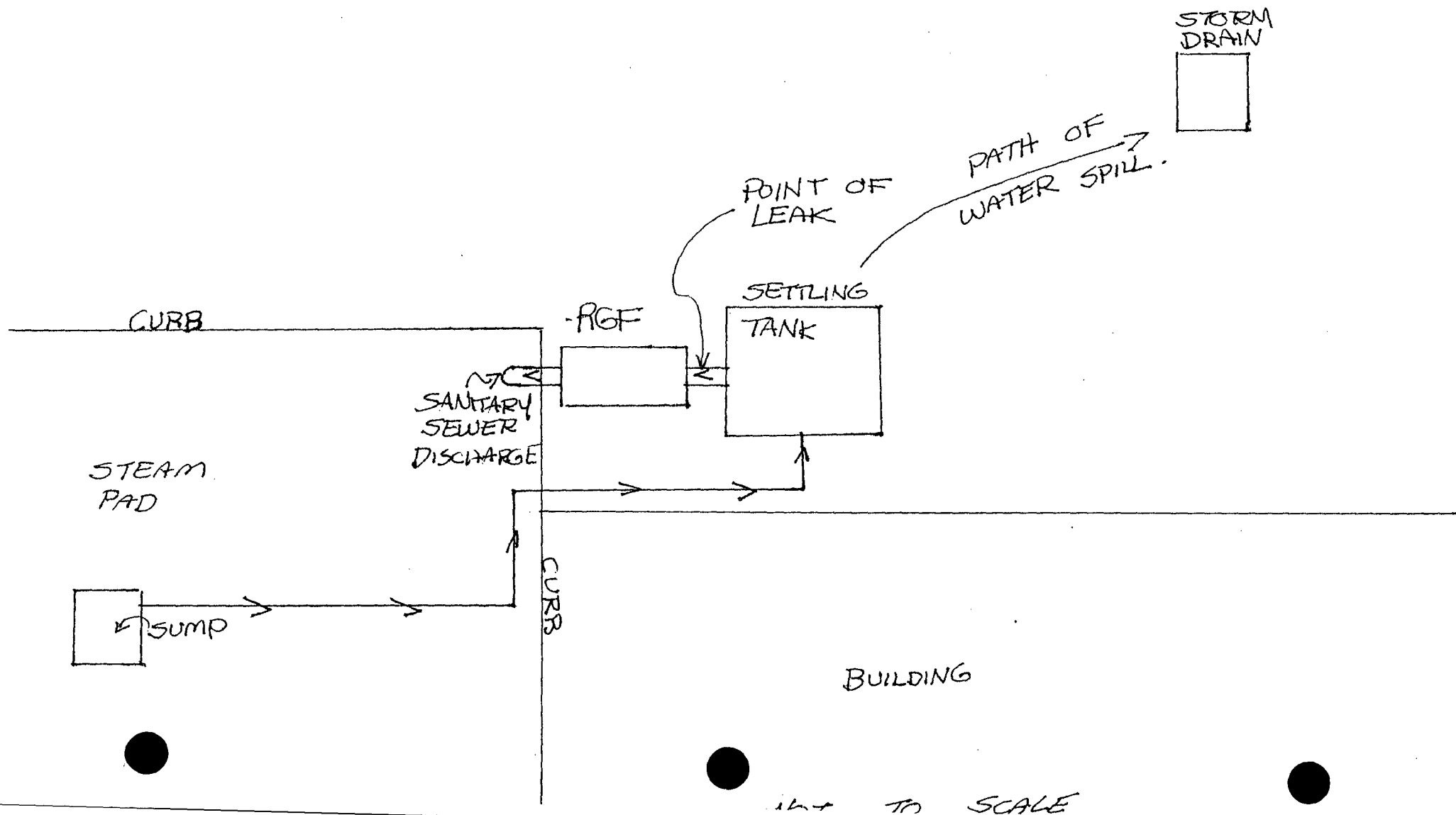
On August 27 at about 3:30 PM a hose connection on an oil water separation tank failed allowing some dirty water to flow into a storm drain sewer. The incident occurred at Pacific Detroit Diesel Allison located at 5061 North Lagoon Portland, Oregon. I was present when the hose connection failed and immediately began measures to contain the spill. I surrounded the storm water drain with oil absorbing booms and placed several more booms up hill from the drain to intercept the water. The liquid was dirty water from the bottom of the oil separation tank and I observed no visible oil in the water. We use a non emulsifying soap in our washing operations allowing the oil to quickly stratify and as the leak occurred from the lowest part of the tank, only water leaked. The leak was repaired before the level of separated, floating oil was reached. I repaired the leaking hose connection and continued the clean up process using a pump to return the water back to our contained steam pad sump as well as using oil absorbing material on any of the standing water. To the best of my knowledge little or no oil reached the storm drain during this incident. I completed the repair and clean up by about 6:30 PM on September 27 TH. Until tests are completed Pacific Detroit Diesel Allison assumes no responsibility for the oil sheen observed near the storm drain opening.



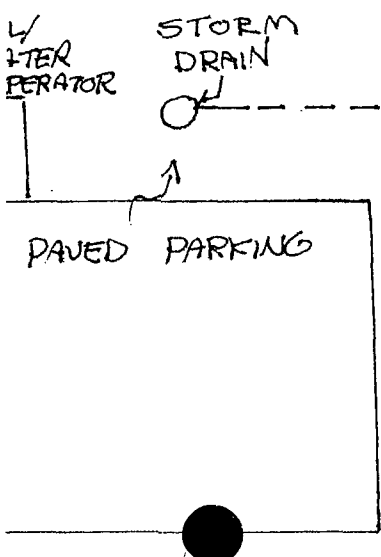
Jim Parchert
Environmental, Safety, Facilities Manager
5061 North Lagoon
Portland, Oregon 97217
240-4212

BEFORE 9/5/97

PAVED PARKING / DRIVEWAY

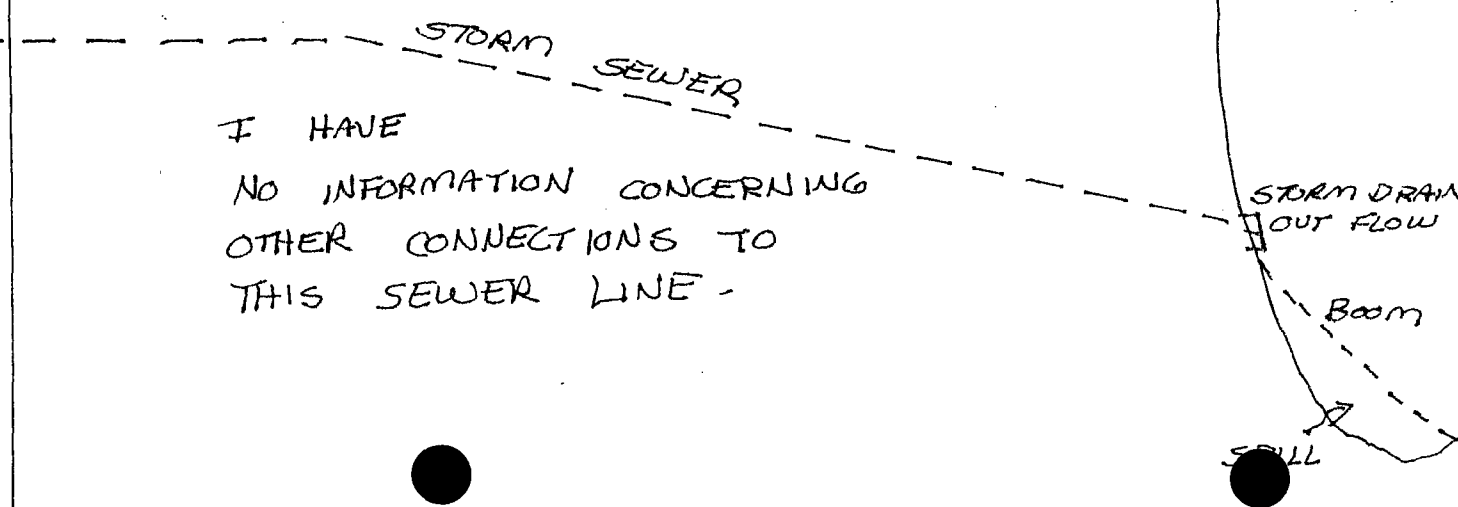


NOT TO SCALE



LAGOON AVENUE

I HAVE
NO INFORMATION CONCERNING
OTHER CONNECTIONS TO
THIS SEWER LINE.



SHIPS

Boom

STORM DRAIN
OUT FLOW

Boom

SILL

NOT TO SCALE

NEW OIL/WATER SEPARATOR LOCATION
AFTER 9/5/97

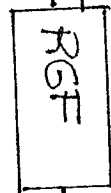


WITH SED/OIL FILTER

CURBING

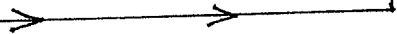
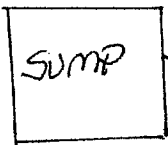
STEAM PAD

SANITARY
SEWER
DISCHARGE



CURB

BUILDING



NOT TO SCALE



NOTICE OF FEDERAL INTEREST FOR
AN OIL POLLUTION INCIDENT

COMMANDING OFFICER

COMMANDING OFFICER
USCG Marine Safety Office
6767 N. Basin Avenue
Portland OR 97217-3992

(503) 240-9370

5061 N. LAGOON

PORTLAND OR, 97217

PACIFIC DETROIT DIESEL

Gentlemen:

On or about 28 AUG 97, an oil pollution incident occurred or threatens to occur at SWAN ISLAND LAGOON. You may be financially responsible for that incident. Under Federal Statutes, the United States Government may take action to minimize or mitigate damage to the public health or welfare that is threatened or that may be caused by this incident.

Under the Oil Pollution Act of 1990, the responsible party is liable for, among other things, removal costs and damages resulting from this incident. The failure or refusal of the responsible party to provide all reasonable cooperation and assistance requested by the Federal On-Scene Coordinator (OSC) will eliminate any defense or entitlement to limited liability which otherwise might be available under the Act.

You are advised that your failure to properly carry out the removal of the discharge as ordered by the OSC or to comply with any administrative orders necessary to protect the public health and welfare, may subject you to additional penalties. For such failure, owners, operators, or persons in charge of the vessel or facility from which the oil is discharged are subject under the Federal Water Pollution Control Act (FWPCA), as amended, to a civil penalty of up to \$25,000 per day of violation or up to 3 times the costs incurred by the Oil Spill Liability Trust Fund. Should you require further information concerning this matter, please contact GM3 MICHAEL GENGLER at the above address and telephone number.

As long as the OSC determines that you are taking adequate actions in this matter, Federal removal action will usually be limited to monitoring the progress of your actions and providing guidance as necessary. Under the FWPCA, as amended, your response actions may be taken into account in determining the amount of any penalty assessed as a result of the discharge.

Sincerely,

Received and Acknowledged:

Witness(es): _____

September 25, 1997

Jim Parchert
Pacific Detroit Diesel
5061 North Lagoon
Portland, OR 97217

DEPARTMENT OF
ENVIRONMENTAL
QUALITY

Re: Waste Oil Spill
OERS No. 97-2198

Dear Mr. Parchert:

On August 28, 1997, the Department of Environmental Quality (DEQ) received a report of a spill or release of waste oil that impacted a lagoon in the Willamette River adjacent the Swan Island area in Portland, Oregon. We recently received information that samples of the oil that were collected by the United States Coast Guard were analyzed and determined to match waste oil generated at your facility.

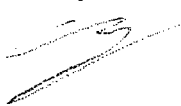
In accordance with Oregon Administrative Rules (OAR) 340-108-040 (copy attached), you are required to submit a written report describing the spill. I have enclosed a spill report outline as a guideline so that all information that is necessary for the documentation and review of your spill report is received. We ask you to submit this information no later than October 10, 1997. Please submit the report to:

Loren Garner, DEQ, 2020 SW 4th, #400, Portland, Oregon, 97201-5884.

Responsible parties may be required to pay costs incurred by DEQ for oversight of the investigation and cleanup of the spill or release (Oregon Revised Statutes 465.255). DEQ oversight costs include direct and indirect costs. Direct costs include site-specific expenses and legal costs. Indirect costs are those general management and support costs of the DEQ allocable to oversight of this cleanup and not charged as direct, site-specific costs.

If you have any questions about this request, please contact Loren Garner at (503) 229-5614.

Sincerely,


Michael Greenburg
Spill Response Specialist
Spill Management Program

Enclosures: OAR 340-108
Spill Report Outline



811 SW Sixth Avenue
Portland, OR 97204-1390
(503) 229-5696
TDD (503) 229-6993
DEQ-1

October 6, 1997

Loran Garner
Department of Environmental Quality
2020 SW 4th, #400
Portland, Oregon 97201-5884

Dear Mr. Garner:

This is in response to a letter dated September 25, 1997 informing us that tests performed by the United States Coast Guard confirmed that a release of oil on August 28, 1997, that affected a lagoon in the Willamette River, was matched to oil generated at our facility. The oil sheen was observed in the lagoon shortly after the first significant rain in the area, after having over 45 days of dry weather. As you are no doubt aware oil accumulates on streets and parking areas during dry weather and several other area streets, parking lots, and business share the same storm drain. In addition, the Coast Guard Officers stated that although the oil was located near the storm drain out flow, the current pattern in the lagoon tended to concentrate any oil entering at any point in the lagoon, to that area. At this point we have not seen a copy of the test results and until we do I find it difficult to accept responsibility for the oil release. We are not trying to be difficult or to shirk our responsibility but I just want to be sure that we are, in truth, the responsible party.

On August 27, 1997 at about 3:30 PM a hose connection on our oil / water separation system failed. I was performing routine maintenance on the system when the hose failure occurred so I was present at the incident for the entire duration of the event. The incident occurred at Pacific Detroit Diesel Allison, 5061 N North Lagoon Portland, Oregon 97217. I immediately surrounded the nearby storm drain with oil absorbing sock booms and laid several more up slope from the drain to intercept the water. The liquid released appeared to be simply dirty water. I observed no free oil. I estimate the total release to be about 200 gallons of water. After the broken connection was repaired and the flow of water stopped I continued to clean up the site. I did not observe any oil in the sock booms and my clothing and skin did not have any oil residue either. The repair and clean up was completed by 6:30 PM on September 27.

To give you a better idea of the material that leaked let me give a brief description of the system. Our oil / water separator processes waste water from our steam pad area. We steam clean the engines on trucks and other heavy equipment during repair operations. We use a non-emulsifying soap manufactured by Zep Chemical that allows the oil to separate from the waste water very quickly. The waste water from the steam cleaning operation first flows to a storage sump which is about 8 feet deep. The heavy solids drop out of solution and most of the oil floats to the surface of the sump. There is a submersible pump controlled by a level switch that pumps the water to a large above ground tank. The pump inlet is placed about 3 feet down in the sump where it does not

pump either the floating oil or heavy solids that settle at the bottom of the sump. Spenser Environmental periodically pumps out this sump to remove the accumulated solids and floating oil. The purpose of the above ground tank is to allow more oil to separate from the water. The tank was installed several years ago when we were using emulsifying soaps, but with the new soap we use, very little oil remains in the water to be separated from the water in this tank. The water then flows through an RGF oil / water separator unit for final processing with a disc skimmer, coalescing plates, and various filter and polishing media. The processed water then exits the RGF unit to the city sanitary sewer system. The hose failure occurred in a connection between the above ground tank and the RGF unit. The water that did escape was from the bottom of the tank and only about a quarter of the volume escaped before I was able to stop the flow. There was about an inch of separated oil in the tank, but it remained floating on top of the water, and I do not believe that any escaped.

I was first made aware of a potential problem when a Coast Guard Petty Officer visited our facility on August 29. He informed me that a small oil slick had been reported in a near by lagoon in the vicinity of our storm drain out flow pipe. Foss Environmental had already been contacted and the spill was contained with a boom. In addition there were large oil control booms placed around two docked oil tankers upstream from the small spill near the storm drain out flow. The Coast Guard Petty Officer stated that they were not related to the small spill and that they were permanently in place around the tankers. Samples were taken from several locations at our site including areas that could not have been responsible for the spill. At my insistence they did take a sample from the tank that leaked but they also took samples from the steam pad sump, an area that is fully contained, and was not involved in the release. At this point I am not sure what samples were used in the testing, and that is the reason I desire to see the actual test results. I trust that the sample from the tank is the one that was matched to the samples taken from the lagoon, but at this time I do not know that as fact. I also have no information concerning the clean up performed by Foss Environmental. I checked the lagoon on Monday, September 1 and the booms were removed and I did not observe any floating oil. I assume that the cleanup operation had been completed by Foss Environmental. To my surprise the supposedly permanent booms around the tankers had also been removed. I asked for information from the Coast Guard concerning the clean up operation but was informed that the matter was being transferred to their legal department and that they would contact me at some future date. To this date I have had no communication from them so I am still in the dark concerning the testing procedures and clean up operations. The local Coast Guard officials I have spoken with have not been at all forth coming with information concerning this incident.

Since August 29 Pacific Detroit Diesel Allison has taken several steps to assure that a similar incident will not occur in the future. When the oil / water separator was installed several years ago, the machine was located outside of the steam pad containment area. We have since relocated the unit inside the containment area so that any spills will

be fully contained in the steam pad area and can not flow to a storm drain. In addition all plumbing and piping was replaced, all rubber lines were replaced with hard piping. We also installed valves to enable us to isolate the liquid in the system in the event of a plumbing failure. As a final safety measure we have installed Streamguard oil and sediment filters in our storm drain grates to filter any incidental oil run off from our parking areas.

I do not want to give the impression that Pacific Detroit Diesel Allison is attempting to pass the blame for the oil spill observed on the Swan Island Lagoon on August 28, 1997 to another party. Our hesitation in admitting fault lies in the fact that we have not received any documentation from the Coast Guard that proves our responsibility. I am sure that the Coast Guard investigation and testing procedures are accurate and fair but to this date we have seen no documentation concerning the testing and investigation so at this time any opinion is only speculation. I hope to see the documentation as soon as possible so that this matter can be resolved.

Sincerely,

Jim Parchert
Environmental, Safety, Facilities Manager
Pacific Detroit Diesel Allison
5061 North Lagoon
Portland, Oregon 97217
240-4212

SPILL/RELEASE REPORT

1 - GENERAL INFORMATION

OERS No. _____

- a. Company/Individual Name: PACIFIC DETROIT DIESEL ALLISON
b. Address: 5061 N. LAGOON
PORTLAND, OREGON 97217
c. Company Contact Person: JIM PARCHEAT
d. Phone Number(s): 240-4212, (b) (6) (CELL)
e. Specific on-site location of the release (and address if different from above):

FROM OUR OIL/WATER SEPERATOR TO A
NEAR BY STORM DRAIN.

Please provide a map of the site showing area(s) where the release occurred, any sample collection locations, location of roads/ditches/surface water bodies, etc.

2 - RELEASE INFORMATION

- a. Date/Time Release started: 8/27/97 3:30 PM Date/Time stopped: 8/27/97 4:00 PM
b. Release was reported to (specify Date/Time/Name of Person contacted where applicable):

ODEQ _____

OERS _____

NRC _____

Other (describe): _____

- c. Person(s) reporting release: _____
d. Name, quantity and physical state (gas, liquid, solid or semi-solid) of material(s) released:
LIQUID - WATER - DIRT 200 GALLONS

Please attach copies of material safety data sheets (MSDS) for released material(s).

- e. The release affected: ☐ Air ☐ Groundwater ☐ Surface Water ☐ Soil ☐ Sediment
f. Name and distance to nearest surface water body(s), even if unaffected (include locations of creeks, streams, rivers and ditches that discharge to surface water on maps):

300 YARDS

Has the release reached the surface water identified above?: ☒ Yes ☐ No

Could the release potentially reach the surface water identified above? ☒ Yes ☐ No

Explain: _____

- g. Depth to nearest aquifer/groundwater: 8 FEET

Is nearest aquifer/groundwater potable (drinkable)? ☐ Yes ☒ No

Has the release reached the nearest aquifer/groundwater? ☐ Yes ☒ No

Explain: SPILL WAS ON A PAVED AREA

- h. Release or potential release to the air occurred? ☐ Yes ☒ No

Explain: _____

- i. Was there a threat to public safety? ☐ Yes ☒ No

- j. Is there potential for future releases? ☐ Yes ☒ No

Explain: _____

- k. Describe other effects/impacts from release (emergency evacuation, fish kills, etc.):

UNKNOWN. - SEE LETTER

- l. Describe how the release occurred. Include details such as the release source, cause, contributing weather factors, activities occurring prior to or during the release, dates and times of various activities, first responders involved in containment activities, etc.:

SEE INCLOSED LETTER

3 - SITE INFORMATION

- a. Adjacent land uses include (check all that apply and depict on site maps):

☐ Residential ☐ Commercial ☐ Light Industrial ☒ Heavy Industrial
☐ Agricultural ☐ Other (describe): _____

- b. What is the population density surrounding the site: _____

- c. Is the site and/or release area secured by fencing or other means? ☐ Yes ☐ No

- d. Soil types (check all that apply): ☐ alluvial ☐ bedrock ☐ clay ☐ sandy
☐ silt ☐ silty loam ☒ artificial surface (cement/asphalt/etc.)

- e. Describe site topography: _____

4 - CLEANUP INFORMATION

- a. Was site cleanup performed? ☒ Yes ☐ No

If No, explain: _____

- b. Who performed the site cleanup?

Company Name: USGG INFORMED ME

Address: THAT FOSS ENVIRO. HAD

BEEN CONTACTED - I HAVE NO OTHER

Cleanup Supervisor: INFORMATION CONCERNING THE

Phone Number(s): CLEAN UP. - SEE LETTER

- c. Has all contamination been removed from the site? ☐ Yes ☐ No

If No, explain: _____

- d. Estimated volume of contaminated soil removed: _____

- e. Estimated volume of contaminated soil left in place: _____

- f. Was a hazardous waste determination made for cleanup materials? ☐ Yes ☐ No

- g. Based on the determination, are the cleanup materials hazardous wastes?

☐ Yes ☐ No If Yes, list all waste codes: _____

- h. Was contaminated soil or water disposed of at an off-site location? ☐ Yes ☐ No

If yes, attach copies of receipts/manifests/etc., and provide the following information:

Facility Name: _____

Address: _____

Facility Contact: _____

Phone Number(s): _____

- i. Is contaminated soil or water being stored and/or treated on-site? ☐ Yes ☐ No

If yes, please describe the material(s), storage and/or treatment area, and methods utilized (attach additional sheets if necessary):

- j. Describe cleanup activities including what actions were taken, dates and times actions were initiated and completed, volumes of contaminated materials that were removed, etc. (attach additional sheets or contractor reports if necessary or more convenient):

5 - SAMPLING INFORMATION

Attach copies of all sample data and indicate locations of sample collection on maps.

- a. Were samples of contaminated soil collected? ☐ Yes ☐ No ☐ N/A
- b. Were samples of contaminated water collected? ☐ Yes ☐ No ☐ N/A
- c. Were samples collected to show that all contamination had been removed?
☐ Yes ☐ No ☐ N/A
- d. Describe sampling activities, results and discuss rationale for sampling methods:

SEE LETTER

6 - SPILL REPORT CHECKLIST

To ensure that you have gathered all the information requested by the Department in this Spill/Release Report, please complete the following checklist:

- ☐ Map(s) of the site showing buildings, roads, surface water bodies, ditches, waterways, point of the release, extent of contamination, areas of excavation and sample collection locations attached.
- ☐ Material Safety Data Sheet (MSDS) for released material(s) attached.
- ☐ Sampling data/analytical results attached.
- ☐ Receipts/manifests (if any) for disposal of cleanup materials attached.
- ☐ Contractor reports (if any) attached.

U.S. Department
of Transportation

United States
Coast Guard



Director
United States Coast Guard
National Pollution Funds Center

4200 Wilson Blvd.
Suite 1000
Arlington, VA 22203-1804
Staff Symbol: (cm)
Phone: (703) 235-4756

5890
21 August 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Number: P 349 438 958

Pacific Detroit Diesel - Allison
5061 N. Lagoon Ave.
Portland, OR 97217

RE: Pacific Detroit Diesel-Allison
FPN: 137039

Gentlemen:

On 28 August 1997, Pacific Detroit Diesel-Allison discharged oil into the Willamette River (Swan Island lagoon). The United States Government initiated removal action and incurred costs. The Oil Pollution Act of 1990 provides that you, as owner, operator or guarantor, are responsible for the costs incurred. This is a demand for full payment. A bill and explanation of costs are enclosed.

If you do not pay in full, you will be charged for interest, penalty and administrative costs. Your unpaid debt will be referred to the Department of Justice for litigation, or to the Department of Treasury, Debt Management Service, which will collect and charge you substantial additional fees. See the enclosed explanation of rights, collection alternatives and the attendant fees that may be charged to you.

Liability for removal costs is in addition to other liabilities which may result from this incident, including, but not limited to, any damages or other removal costs or any civil or administrative penalties arising from the incident.

Payment should be made by check or money order payable to U.S. Coast Guard.

Send your payment to: U.S. Coast Guard - Oil Pollution
RE: FPN 137039
P.O. Box 640545
Pittsburgh, PA 15264-0545

If you have any questions, you may contact me at the National Pollution Funds Center, (703) 235-4765. Your cost to close this matter will only increase over time. Please note the Federal Project Number (FPN) 137039 on all correspondence to insure proper credit to your account and a timely and accurate resolution of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Queen", written over a horizontal line.

J. QUEEN
Chief Warrant Officer
U.S. Coast Guard Reserve
Case Officer

Encl: (1) Bill # 137039-001-98
(2) Explanation of Costs
(3) Rights and Collection Alternatives

Explanation of Costs

"CG Equipment" Total cost of Coast Guard-owned equipment used during the removal action based on standard hourly rates published in Commandant Instruction 7310.1 (series). Standard rates typically include crew complement, fuel, maintenance, field operational support, administrative support and depreciation. Examples of CG Equipment: seagoing buoytender (WLB) - \$1,113 per hour, helicopter (HH65A) - \$3,767 per hour, 41-foot small boat (UTB) - \$313 per hour, light truck (4X4) - \$9.00 per day and \$.19 per mile.

"CG Personnel" Total cost of Coast Guard personnel (both military and civilian employees), other than crew complements, used to conduct, direct and/or monitor the removal action or settle claims based on standard hourly rates published in Commandant instruction 7310.1 (series). Standard rates reflect average pay, allowances, government contribution to employee benefits (e.g. FICA, medical), training, change of station, and unfunded retirement costs. Actual costs of travel or per diem are not included - see "CG Travel". Examples: O-2 (LTjg) or GS-11 - \$27.00 per hour, E-7 (Chief Petty Officer) - \$24.00 per hour, E-4 (Third Class Petty Officer) - \$17.00 per hour.

"CG Travel" Total cost of travel and per diem for Coast Guard personnel employed to conduct, direct and/or monitor the removal action or settle claims. Per diem (meals and lodging) rates are specified in the Joint Federal Travel Regulations but only actual lodging expenses are reimbursed. Travel costs are based on federal contract carrier rates on commercial aircraft or actual costs of rental cars etc. Examples of per diem: New Orleans, LA - \$100.00 per day, New York, NY - \$180.00 per day.

"CG Purchases" Total cost of purchases of materials or services by the Federal On Scene Coordinator (FOSC) in support of the removal action or to settle claims. Actual costs without sales tax. Examples of typical purchases: replacement of damaged equipment or consumables, lodging and meals for CG personnel at the removal action (in lieu of per diem), transportation of CG equipment (GBL), film used to photograph the oil discharge and damage. Purchase Orders are prepared by a CG Contracting Officer.

"EPA Personnel" Total cost of EPA personnel used to conduct, direct a/or monitor the removal action based on actual hourly salary, benefits and travel costs.

"EPA TAT" Total cost of Technical Assist Team (TAT) contract support based on rates approved by the EPA Contracting Official. Each EPA region has its own TAT contractor.

"Marine Safety Lab" Total cost for oil samples tested by the CG Marine Safety Lab at Groton, CT to determine the source of a discharge. Costs are based on standard charges for each test and depend on the number of samples. The "average cost" of sample analysis is approximately \$1,500.

"Contract" Total costs for equipment, labor and materials used by a commercial cleanup contractor hired by the Federal On Scene Coordinator (FOSC) for the removal action or to settle claims. The contractor's invoice is based on rates agreed to by the CG Contracting Officer. The FOSC certifies on each invoice that the work was performed and that it was consistent with the National Contingency Plan (NCP) 40 CFR 300. Each contractor is a separate line item on the billing.

"PRFA" (Pollution Removal Funding Authorization) An obligation by the Federal On Scene Coordinator (FOSC) to another government agency - federal, state or local - for assistance during the removal action. The PRFA specifies which removal activities will be reimbursed and establishes a dollar limit. The agency signing a PRFA becomes a "contractor" for the FOSC but may hire a commercial cleanup contractor to perform the actual work. Each PRFA is a separate line item on the billing.

"Claim Paid" Payment made by the National Pollution Funds Center (NPFC) by type of claim and claimant. Types of claim: (A) natural resources, (B) real or personal property, (C) subsistence use, (D) revenues, (E) profits and earning capacity, (F) public services, or (G) removal costs. The Responsible Party (RP) is liable for damages resulting from the oil discharge or substantial threat of a discharge 33 USC 2702 and 2715. Example: Claim Paid (B) - ABC Resort Hotel, this is a property damage claim paid to ABC Resort Hotel for which the NPFC is seeking reimbursement from the RP.

RIGHTS, COSTS AND COLLECTION ALTERNATIVES

YOUR RIGHTS.

You have the right to an explanation of your debt and may inspect and copy the information/records we have with respect to your debt.

You may dispute the information. You may submit additional material for consideration. You may request that we review or reconsider the determination of debt.

You may request a written repayment agreement in lieu of paying the entire balance of your debt at one time.

INTEREST, PENALTIES AND ADMINISTRATIVE COSTS. Any balance not paid within 30 days of the original bill notice is a delinquent balance. A delinquent balance will subject you to additional charges for interest and administrative costs from the date of this notice.

Any balance delinquent more than 90 days (120 days after the original bill notice) will be charged an additional 6% annual penalty from the date of delinquency.

TREASURY DEPARTMENT DEBT MANAGEMENT SERVICE (DMS). If your delinquent debt is referred to DMS for collection, an additional fee will be added to the amount due. That fee may be:

18% of the amount due if DMS collects, and

3% of the amount due plus the actual contract cost for collection if DMS refers your debt to a contract collector.

ADMINISTRATIVE OFFSET AND TAX REFUND OFFSET. Your debt may be collected by administrative offset of other amounts owed to you. (See 31 U.S. Code Section 3716 and 4 CFR Part 102). "Amounts owed to you" include any Internal Revenue Service Tax Refunds that may be due you. (See 31 U.S. Code Section 3720A.)

CONSUMER REPORTING AGENCIES. Your debt may be reported to consumer report agencies. (See 31 U.S. Code Section 3711(f)). The information that may be disclosed to consumer reporting agencies includes (See 49 CFR Part 89):

Your name and address;
social security number;
taxpayer identification number;
amount, status and history of the debt; and
the program under which the debt arose.

Keep this portion of the statement for your records.

Return receipt at bottom with payment.

**NATIONAL POLLUTION
FUNDS CENTER**

Federal Project/Bill Number: 137039-001-98

Original Bill Date: 21 August 1998

Date of this Statement (if different): 21 August 1998

To: Pacific Detroit Diesel-Allison
5061 - N. Lagoon Ave.
Portland, OR, 97217

DESCRIPTION	AMOUNT
FPN: 137039	
U.S. Government costs. See second page for list of charges	
Interest and an administrative fee are charged on balances over 30 days past due. Interest rate is market-based and is subject to change monthly; current rate is 5.515% per annum. The administrative fee is \$10.00 a month. An additional penalty of 6% per annum is charged on balances more than 120 days past due.	
Principal Due	\$16,876.55
Accrued Interest	\$0.00
Accrued Penalty	\$0.00
Accrued Administrative Fee	\$0.00
Total Due	\$16,876.55
This invoice reflects collections received to date totaling:	\$0.00

Send Payment To: **U.S. COAST GUARD - Oil Pollution**
RE: FPN 137039-001-98
P.O. Box 640545
Pittsburgh, PA 15264-0545

Tear along perforation ...

Federal Project/Bill Number: 137039-001-98

Billed on 21 August 1998

Your billing address (please pen-and-ink any errors or changes):

Pacific Detroit Diesel-Allison
5061 - N. Lagoon Ave.
Portland, OR, 97217

Amount Due as of 21 August 1998

\$16,876.55

Please send this remittance advice with your payment in the enclosed envelope. Make check payable to "U.S. Coast Guard"
write FPN 137039-001-98 on the check. To avoid additional late fees, we must receive payment by 20 September 1998

U.S. Coast Guard - Oil Pollution
RE: FPN 137039-001-98
P.O. Box 640545
Pittsburgh, PA 15264-0545

Amount Paid

\$ _____

U.S. Department
of Transportation

United States
Coast Guard



Director
United States Coast Guard
National Pollution Funds Center

4200 Wilson Blvd.
Suite 1000
Arlington, VA 22203-1804
Staff Symbol: (cm)
Phone: (703) 235-4756

16 October 1998

Pacific Detroit Diesel - Allison
Attn: Jim Parchert
5061 N. Lagoon Ave.
Portland, OR 97217

RE: FPN: 137039

Dear Mr. Parchert:

Per our telephone conversation of 16 October 1998, please find enclosed cost documentation, pollution response reports, and the USCG Marine Safety Laboratory oil sample analysis report pertaining to subject case. I trust that we can bring this case to closure in the near future.

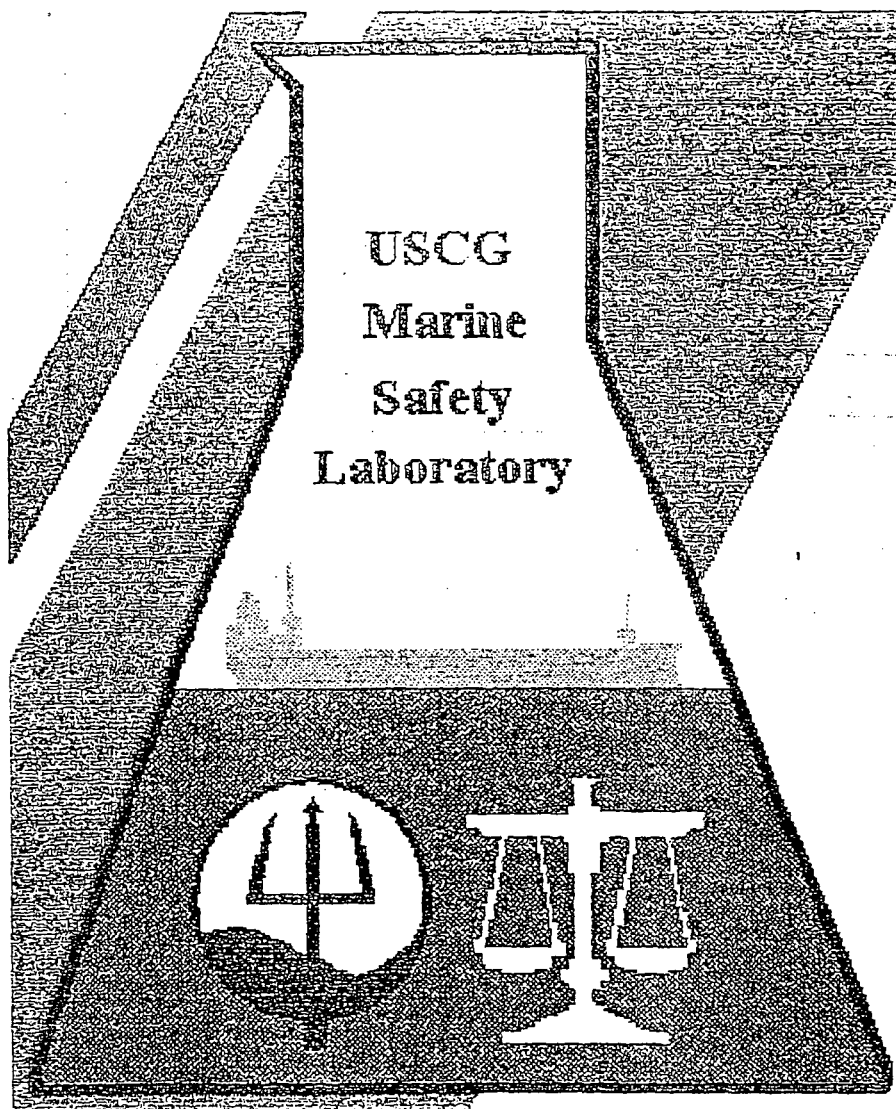
Sincerely,

A handwritten signature in dark ink, appearing to read "J. Queen", with a long horizontal flourish extending to the right.

J. QUEEN
Chief Warrant Officer
U.S. Coast Guard Reserve
Case Officer

Encl: Cost documentation, POLREP's and MSL Oil Sample Analysis Report for FPN
137039

RECEIVED
OCT 1 12 00 PM '97
NO. 11441



OIL SAMPLE ANALYSIS REPORT

MARINE SAFETY OFFICE PORTLAND
CASE NUMBER MC97012158

MARINE SAFETY LABORATORY
CASE NUMBER 97-334

U.S. Department
of Transportation

United States
Coast Guard



Manager
U. S. Coast Guard
Marine Safety
Laboratory

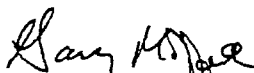
1082 Shennecossett Road
Groton, CT 06340-6094
Phone: (860) 441-2645
Fax: (860) 441-2641

16400
22 September 1997

From: Manager, Marine Safety Laboratory
To: Commanding Officer, Marine Safety Office Portland
Subj: OIL SAMPLE ANALYSIS REPORT, MSO PORTLAND CASE# MC97012158
MSL CASE #97-334

1. The laboratory analysis of this case has been completed and our report is forwarded. The technical data supporting the report (spectrograms and chromatograms) have been archived at our facility and are available upon request. We will maintain the oil samples in refrigerated storage pending final case disposition.

2. Questions concerning this report or the analytical methods used should be directed to the Supervisor of Analysis, Mr. Gary Moffett.


G. E. MOFFETT
By direction

Encl: (1) MSL Report 97-334

**United States Coast Guard
Marine Safety Laboratory**

Sample Check-in Log, MSL Case Number: 97-334

Requestor: MSO Portland, OR

Unit Case Number: MC97012158

Federal Project Number

Delivery Method: CERTIFIED MAIL

Received Date: 12-Sep-97

Delivery Number: P 494 604 012

Priority: No

Rush: No

Comparison: No

Lab Number 97-334	Sample Descriptions from Sample Jars	Spill	Source
1	1 DRAIN TO OUTFALL, PARKING LOT AT PACIFIC DETROIT DIESEL 28 AUG 97 1850		XX
2	2 DRAIN TO OILY WATER SEPERATER, SERVICE AREA PACIFIC DETROIT DIESEL 28 AUG 97 1850		XX
3	3 TAKEN 50 FT FROM OUTFALL 28 AUG 97 1905	XX	
4	4 OILY RESIDUE 10 FT FROM OUTFALL 28 AUG 97 1905	XX	
5	5 SAMPLE FROM OILY WATER SEPERATOR AT PACIFIC DETROIT DIESEL 29 AUG 97 1350		XX
6	6 OIL TAKEN FROM WATER ON BOAT DOCK TIED NEXT TO PORT OF PORTLAND NAVIGATION DIVISION BARGE 28 AUG 97 1950	XX	
7	7 OIL SAMPLE TAKE NEAR PORT OF PORTLAND NAVIGATION BARGE 28 AUG 97 1953	XX	
8	0		
9	0		
10	0		
Remarks:			

Samples checked in by: Sam P. Eng

Date: 15 SEP 97

Sample Custodian: [Signature]

Date: 16 SEP 97

Supervisor of Analysis: [Signature]

Date: 17 SEP 97

UNITED STATES COAST GUARD MARINE SAFETY LABORATORY
OIL IDENTIFICATION LABORATORY

OIL SPILL IDENTIFICATION REPORT

LABORATORY CASE NUMBER: 97-334

REQUESTOR: MARINE SAFETY OFFICE PORTLAND OREGON

UNIT CASE NUMBER: MC97012158

RECEIVED: 12SEP97 VIA: CERTIFIED MAIL (P 494 604 012)

NUMBER OF SAMPLES: SEVEN (07)

LAB NO. OF SPILLS: 97-334-3,4,6 AND 7

LAB NO. OF SUSPECTS: 97-334-1,2 AND 5

ANALYSIS METHODS:

GAS CHROMATOGRAPHY (GC)

FLUORESCENCE SPECTROSCOPY (FL)

RESULTS:

1. Samples 97-334-3,4,6 and 7 were specified to be representative of spilled oil. Analysis indicates:

a. Samples 97-334-4,6 and 7 are similar containing an evaporatively weathered light fuel oil mixed with a lubricating oil, sample 97-334-4 being the least weathered.

b. Sample 97-334-3 contains an insufficient quantity of petroleum oil to be of value for comparison purposes.

2. Suspected source samples 97-334-2 and 5 contain evaporatively weathered light fuel oils mixed with lubricating oils with characteristics similar to those for spilled oil samples 97-334-4,6 and 7. Lighter petroleum products were observed in suspected source sample 97-334-2 that were not present in sample 5. These observations are typical of the differences usually observed during normal weathering of spilled oil.

3. Suspected source sample 97-334-1 contains an evaporatively weathered light fuel oil mixed with a lubricating oil with characteristics somewhat similar to those for spilled oil samples 97-334-4,6 and 7. Since sample 97-334-1 was in contact with asphalt pavement, dissolution of polyaromatic hydrocarbons into the sample occurred. This difference between the spilled oil and source sample 97-334-1 was observed using fluorescence spectroscopy, but was not observed by gas chromatography. The contribution of the dissolved aromatic products from the asphalt pavement possibly introduced the observed sample inhomogeneity.

CONCLUSIONS:


1. Spilled oil samples 97-334-4,6 and 7 represent different portions of the same spilled oil.

2. Suspected source samples 97-334-2 and 5 and spilled oil samples 97-334-4,6 and 7 are derived from a common source of spilled oil. Differences noted are attributable to weathering of spilled oil.

CONTINUATION OF OIL SPILL IDENTIFICATION REPORT 97-334

3. Comparison of suspected source sample 97-334-1 and spilled oil samples 97-334-4, 6 and 7 is inconclusive due to possible contamination of sample 97-334-1 by dissolved aromatic components from the asphalt pavement. However, differences noted may be attributable to sample inhomogeneity and a relationship between the spilled oil and sample 97-334-1 may exist.
4. Spilled oil sample 97-334-3 contains essentially oil-free water.

SUPERVISOR OF ANALYSIS


GARY MOFFETT

Chemist

DATE: 17SEP97

U.S. Department
of Transportation

United States
Coast Guard



Commanding Officer
U.S. Coast Guard
Marine Safety Office

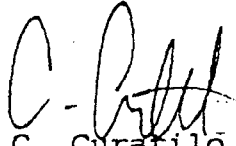
6767 N. Basin Ave
Portland, OR 97217
(503) 240-9379

16460.2
09SEP97

From: Commanding Officer, USCG Marine Safety Office, Portland, OR
To: Manager, Marine Safety Laboratory

Subj: REQUEST FOR OIL SAMPLE ANALYSIS

1. Request analysis of the 7 samples, listed on attached Chain of Custody Record to assist in our investigation of spill case PCN-POR-135-97 and MC97012158.
2. Questions concerning this case should be directed to BM3 Craig Vermeulen at 503-240-9379.
3. The spill samples were collected from the Swan Island Lagoon, and Pacific Detroit Diesel-Allison, Portland, Oregon.
4. Estimated 50 gallons spilled; Estimated cost of clean-up; \$15,000.
5. Wind conditions were E at 2.0 knots.
6. Air Temperature was 70 to 75 degrees F.
7. Skies were clear.
8. Spill does not involve seepage of oil through the soil.
9. All samples involved in this case are being sent to the Laboratory.
10. Case will be tried for a Class I Civil Penalty.


LT C. Curatilo
By Direction

Encl: (1) Chain of Custody Record

UNITED STATES COAST GUARD CHAIN OF CUSTODY RECORD

COMMANDING OFFICER
MARINE SAFETY OFFICE
6767 N. BASIN AVENUE
PORTLAND, OREGON 97217-3992

SOURCE	SAMPLE NO.	DESCRIPTION OF SAMPLES FOR CASE# POR-135-97 mcl 97012
XX	1	DRAIN TO OUTFALL, PARKING LOT AT PACIFIC DETROIT DIESEL
XX	2	DRAIN TO OILY WATER SEPERATOR, SERVICE AREA PACIFIC DETROIT DIESEL
	3	TAKEN 50 FT. FROM OUTFALL
	4	OILY RESIDUE 10 FT. FROM OUTFALL
XX	5	SAMPLE FROM OILY WATER SEPERATOR. AT PACIFIC DETROIT DIESEL

PERSON ASSUMING RESPONSIBILITY FOR SAMPLES

TIME/DATE

MST3 John F. Murphy (F.M.)

0730/10 SEP 97

RELINQUISHED BY:	DATE/ TIME	RECEIVED BY:	DATE/ TIME	REASON FOR CHANGE OF CUSTODY
GM3 GENGLER <i>[Signature]</i>	10 SEP 97 0730	John F. Murphy (F.M.) MST3	10 SEP 97 0900	TO CUSTOMER FOR SITT/MSL
MST1 BAKER <i>[Signature]</i>	10 SEP 97 0730	John F. Murphy (F.M.) MST3	10 SEP 97 0900	TO CUSTOMER FOR SITT/MSL
John F. Murphy (F.M.) MST3	10 SEP 97 0900	John F. Murphy (F.M.) MST3	12 SEP 97 1830	TO CUSTOMER FOR SITT/MSL

UNITED STATES COAST GUARD CHAIN OF CUSTODY RECORD

COMMANDING OFFICER
MARINE SAFETY OFFICE
6767 N. BASIN AVENUE
PORTLAND, OREGON 97217-3992

SAMPLE	SOURCE	SAMPLE NO.	DESCRIPTION OF SAMPLES FOR CASE# POR-135-97 MC# 970121
XX		7	OIL SAMPLE TAKE NEAR PORT OF PORTLAND NAVIGATION BARGE
XX		5	OIL TAKEN FROM WATER ON BOAT DOCK TIED NEXT TO PORT OF PORTLAND NAVIGATION DIVISION BARGE

PERSON ASSUMING RESPONSIBILITY FOR SAMPLES					TIME/DATE
MS13 John F. Murphy JFM					0730/10 SEP 97
SAMPLE NUMBER 67	RELINQUISHED BY: B143: VERMEULEN Chris Vermeulen	DATE/TIME 10 SEP 97 0730	RECEIVED BY: John F. Murphy JFM	DATE/TIME 10 SEP 97 0900	REASON FOR CHANGE OF CUSTODY TO CUSTODIAN FOR SUPPORT TO MS13
SAMPLE NUMBER 67	RELINQUISHED BY: John F. Murphy JFM MS13	DATE/TIME 10 SEP 97 0950	RECEIVED BY: Anne J. Rio James P. Briggs	DATE/TIME 10 SEP 97 1838	REASON FOR CHANGE OF CUSTODY
SAMPLE NUMBER	RELINQUISHED BY:	DATE/TIME	RECEIVED BY:	DATE/TIME	REASON FOR CHANGE OF CUSTODY

UNITED STATES COAST GUARD
MARINE SAFETY LABORATORY
OIL IDENTIFICATION LABORATORY

SAMPLE PREPARATION SHEET

MSL CASE NUMBER: 97-334

DATE PREPARED: 16 SEP 97

Oil samples were obtained using preparation techniques listed below. The samples were then placed into a vial and identified with the MSL case number and sample number along with the corresponding preparation code(s).

Oil samples eliminated by IR screening method: _____

The Quality Control sample is a duplicate of sample: C-075-MO

SAMPLE NUMBERS (sequential portion only)	PREPARATION CODE	RATIO*
1, 4, 6, 7	3, 7	
2	3, 6	1:1
3, 5	4, 7	
C-075-MO, QC	1	

PREPARATION CODES

1. Portion of neat sample taken from sample jar (clean fuel oils).
2. Portion of sample taken from sample jar, anhydrous MgSO_4 added, then centrifuged.
3. Portion of sample taken from sample jar, diluted with cyclohexane, anhydrous MgSO_4 added, then centrifuged.
4. Entire sample extracted with cyclohexane, anhydrous MgSO_4 added, then centrifuged.
5. Entire sample extracted with two separate 10 mL portions of cyclohexane, anhydrous MgSO_4 added to the combined cyclohexane solution, then centrifuged.
6. * Cyclohexane solution: ratio of oil to cyclohexane is known and shown in "ratio" column.
7. Cyclohexane solution of unknown concentration.
8. Solvent evaporated with heat and a stream of N_2 . Sample of unknown concentration.
9. Others: _____

Preparer's Signature: _____

Date: 16 SEP 97

Revised 1/97

UNITED STATES COAST GUARD
MARINE SAFETY LABORATORIES
OIL IDENTIFICATION LABORATORY

QUALITY CONTROL SHEET

MSL CASE NUMBER: 97-334

DATE PREPARED: 16 SEP 97

A Quality Control (QC) sample was analyzed along with the samples of the case.

- ☐ The Quality Control (QC) sample is a duplicate of sample _____.
- ☒ Due to limited sample quantity in all samples of the case, reference oil C-075-140 from the MSL oil library was used for the Quality Control (QC) and Quality Control Match (QCM) samples.
- ☐ Infrared Spectroscopy was used as a screening method before final sample preparation. No QC sample was available during IR screening.

ANALYTICAL METHODS

INFRARED SPECTROSCOPY (IR)

GAS CHROMATOGRAPHY (GC)

FLUORESCENCE SPECTROSCOPY (FL)

GAS CHROMATOGRAPHY/MASS SPECTROMETRY (GC-MS)

SAT	N/A
	X
X	
X	
	X

The data and conclusions for the QC and QCM samples were identical: YES 1 NO _____

Comments: QC-SAT

SUPERVISOR OF ANALYSIS: [Signature]
Revised 2/96

DATE: 17 SEP 97

UNITED STATES COAST GUARD
MARINE SAFETY LABORATORY

OIL SPILL IDENTIFICATION ANALYSES
COST RECOVERY DOCUMENTATION

LABORATORY CASE NUMBER: 97-334

REQUESTOR: MARINE SAFETY OFFICE PORTLAND

UNIT CASE NUMBER: MC97012158

NUMBER OF SAMPLES: 7

COST PER SAMPLE PREPARED: \$20.00

TOTAL COSTS OF SAMPLE PREPARATION: \$140.00

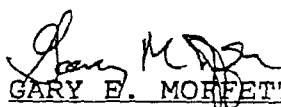
NUMBER OF ANALYSES: 16

COST PER ANALYSIS: \$86.00

TOTAL COSTS FOR ANALYSIS: \$1376.00

TOTAL COSTS: \$1516.00

This documentation is provided for purposes of Phase IV - Documentation and Cost Recovery under the National Oil and Hazardous Substances Pollution Contingency Plan(40 CFR Part 300).


GARY E. MORFETT
Chemist

DATE: 09/22/97

Date: 05 JUN 98

From: Commanding Officer, 1750 Portland
To: Director, National Pollution Funds Center

Subj: Forwarding of Financial Summary Report for FPN/CPN: 13-7039*Incident Information*Federal Project No. / CERCLA Case No: 13-7039

MSIS Info: MC _____ ; MY: _____

Date of Incident: 28 AUG 97 Date OPA/CERCLA Actions started: 28 AUG 97Date OPA/CERCLA Actions completed: 29 AUG 97Location of Incident: Swan Island LagoonMaterial Involved: Waste Oil Quantity Discharged: 35 gallonsWas there a substantial threat? Yes: X No: _____Water or Resource affected: Willamette River(Primary Unit Contact) MST Chris Baker (Telephone No) 503-240-2583*Fund Information*Total Authorized Ceiling: \$ 17,000Total Coast Guard Costs: \$ 3210.54Total Contractor Costs: \$ 13,668.75

Total OGA Costs: \$ _____

*Source Designation Information*Has source been identified? Yes: X No: _____

If "yes", attach "Page 2 Source Information"

Has source been designated? Yes: _____ No: X

Submitted By: _____

(Signature)

FOISC'S Approval

Approved By: _____

(FOISC's Signature or designated Rep.)

Enclosures:

- 1) Incident Report (Page 2)
- 2) Contractors (Page 3)
- 3) Key Parties (Page 5)
- 4) Pollution Incident Daily Resource Reports
- 5) Contractors Daily Report
- 6) USCG Marine Safety Labs Cost Documentation
- 7) Polreps
- ____)
- ____)
- ____)

RECEIVED

JUN 19 1998

Identification - Vessels

Vessel Name _____ Flag/ Nationality _____
Official Number/ Call Sign/ State Number _____ Gross Tons _____
Home Port _____ Type of Vessel _____
Masters Name _____ Designated as Source? ☐ Yes ☐ No
U.S. Agent _____
Address _____
Contact _____ Phone _____

Identification - Facility

Facility Name: Pacific Detroit Diesel - Allison
Facility Address: 5061 - N. Lagoon Ave.
Portland, OR 97217
Type of Facility: Truck Repair Designated as Source? ☒ Yes ☐ No

Responsible Parties

Owner	Insurance Company
Company Name _____	Company Name _____
Company Address _____	Company Address _____
Contact Name _____	Contact Name _____
Contact Phone _____	Contact Phone _____
Notified of Designation? <input type="checkbox"/> Yes <input type="checkbox"/> No	Notified of Designation? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Notified _____	Date Notified _____
Accepted Designation? <input type="checkbox"/> Yes <input type="checkbox"/> No	Accepted Designation? <input type="checkbox"/> Yes <input type="checkbox"/> No
Rejected Designation? <input type="checkbox"/> Yes <input type="checkbox"/> No	Rejected Designation? <input type="checkbox"/> Yes <input type="checkbox"/> No
Advertised? <input type="checkbox"/> Yes <input type="checkbox"/> No	Advertised? <input type="checkbox"/> Yes <input type="checkbox"/> No

Operator	Other
Company Name <u>Pacific Detroit</u>	Company Name _____
<u>Diesel - Allison</u>	Company Address _____
Company Address <u>5061 - N. Lagoon Ave.</u>	_____
<u>Portland, OR 97217</u>	_____
Contact Name <u>Jim Parcher</u>	Contact Name _____
Contact Phone <u>503-240-4212</u>	Contact Phone _____
Notified of Designation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notified of Designation? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Notified _____	Date Notified _____
Accepted Designation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Accepted Designation? <input type="checkbox"/> Yes <input type="checkbox"/> No
Rejected Designation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Rejected Designation? <input type="checkbox"/> Yes <input type="checkbox"/> No
Advertised? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Advertised? <input type="checkbox"/> Yes <input type="checkbox"/> No

Attach Copies of all designation letters and any other related correspondence
(Local Reproduction)(01-93)

ENCLOSURE(1)

List Contractors that
assisted in Removal Operations
under the direction of the PreDesignated Federal On-Scene-Coordinator.
Duplicate and enumerate for multiple contractors.

Company:	FOSS Environmental Services
Address:	5420 - N. Lagoon Portland, OR 97217
Contact:	John Peterson
Telephone	503 - 283 - 1150
Authorized Ceiling Amount:	14,000
Contract No	DTC6-89-93-A-68F911
	Attach copy of Certified Contractor's Invoice(s)
Primary Function	Cleanup oil spill and dispose of the collected product.

(Local Reproduction)(01-93)

ENCLOSURE(2)

ORDER FOR SUPPLIES OR SERVICES

PAGE 1 OF PAGES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1 001

DATE OF ORDER 9 / 97	2. CONTRACT NO. (If any) DTCG8993A68F911	3. ORDER NO. DTCG33-97-N-HYD358	4. REQUISITION/REFERENCE NO. 2497337HYD358
ISSUING OFFICE (Address correspondence to) COMMANDEER/ATTN: PORT OPS USCG GROUP/MSO PORTLAND 767 N. BASIN AVE. PORTLAND, OR 97217		6. SHIP TO: (Consignee and address, ZIP Code) SAME AS BLOCK 5	
TO: CONTRACTOR (Name, address and ZIP Code) FOSS ENVIRONMENTAL SERVICES ATTN: JOHN PETERSON PHONE: (503) 283-1150 5420 N. LAGOON AVE PORTLAND OR 97217 EDI: N Tax Id: B239641		8. TYPE OF ORDER <input type="checkbox"/> A. PURCHASE - Reference your Please furnish the following on the terms and conditions specified on page 1 and 2 of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of: TITLE 10 USC 2304 (a) (3) <input checked="" type="checkbox"/> B. DELIVERY - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of the form and is issued subject to the terms and conditions of the above-numbered contract.	

ACCOUNTING AND APPROPRIATION DATA 1/H/SZ/113/95/0/137039/33270/2523/14000.00	10. REQUISITIONING OFFICE PORT OPERATIONS BRANCH
11. BUSINESS CLASSIFICATION (Check appropriate box(es)) <input type="checkbox"/> SMALL <input checked="" type="checkbox"/> OTHER THAN SMALL <input type="checkbox"/> DIS-ADVANTAGED <input type="checkbox"/> WOMEN-OWNED	

12. F.O.B. POINT Destination	14. GOVERNMENT B/L NO.	15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 09/24/97	16. DISCOUNT TERMS Net 30 Fast Pay N % Days Excl:\$
17. SCHEDULE (See Page 2 for Rejections)			

SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
01 The contractor shall provide equipment, personnel, and vessels to conduct response efforts as directed by the Federal On-Scene Coordinator in support of FPN 13-7039. Period of performance is approximately 28 AUG 97. Swan Island Terms and Conditions of the Basic Ordering Agreement (block 2) apply. Contractor shall not exceed the ceiling price of this Task Order without authorization from the Contracting Officer. FPN 13-7039	1	JB	14000.00	\$14000.00	

Mailed
24 SEP 97

SEE BILLING INSTRUCTIONS ON REVERSE	18. SHIPPING POINT	19. GROSS SHIPPING WEIGHT	20. INVOICE NO.	17(H).TOT. (Cont. pages)
21. MAIL INVOICE TO: (Include ZIP Code) SEE SECTION G OF THE BASIC ORDERING AGREEMENT				17(I). GRAND TOTAL \$14000.00

2. UNITED STATES OF AMERICA BY (Signature) 	23. NAME (Typed) M. J. HALL, CAPTAIN, USCG TITLE: CONTRACTING/ORDERING OFFICER
--	--

Previous version obsolete.

ENCLOSURE(2)

OPTIONAL FORM 347 (Rev. 6-95)
Prescribed by GSA/FAR (48 CFR) 53.213(e)

FOSS ENVIRONMENTAL SERVICES5420 N Lagoon
Portland OR 97217REMIT TO: DEPT. 5251, PO BOX 34936
SEATTLE, WA 98124-1936

Invoice Date:	Sept. 10, 1997	Invoice #:	I-71470
		FES Job #:	71470
		Customer PO#:	Fed#13-7039
Customer:	USCG	Contact:	Parsons
	Marine Safety Office	Phone:	240-9317
	6767 N. Basin Ave.	Fax:	
	Portland, OR. 97217	Terms:	Net 30 Days

Job Description: Cleanup oil spill in Lagoon around Port navigation offices
and Thompson Pass.Job Location: Deploy containment boom at direction of Coast Guard
Swan Island Lagoon, Portland, Oregon

Job Date (s): 8/28, 8/29

Progress Billing: _____
Final Billing: X

QUANTITY	DESCRIPTION	UOM	UNIT PRICE	EXTENDED PRICE
1	Labor see attached detail	EA		\$6,778.00
1	Equipment (see attached detail)	EA		\$6,411.00
1	Material (see attached detail)	EA		\$411.00
1	Misc. (see attached detail)	EA		\$68.75
1		EA		
1		EA		

INVOICE SUBTOTAL \$13,668.75

TAX

TOTAL INVOICE \$13,668.75

THANK YOU FOR YOUR BUSINESS

FOSC CERTIFICATIONFPN 13-7039

I certify that these services and materials were
authorized by me as Phase III response actions.
Reasonable costs relate thereto are proper for payment
from the OSLTF.

[Signature] ON SCENE COORDINATOR 29 SEP 97 DATE

*Acting*Currency: USD*[Signature]*
Supervisor Signature

503-878-7282

Direct Phone

FED ID #: 91-1572532

A 1.5% PER MONTH FINANCE CHARGE WILL BE CHARGED FOR ALL PAST DUE INVOICES

CC: ACCOUNTING

ENCLOSURE(2)

List other person(s) or companies that are important to
the case and not listed elsewhere.
Duplicate and enumerate for multiple key parties.

Person/ Agency/ Company:	<u>City of Portland Environmental Services</u>		
Address:	<u>Water Pollution Control Laboratory</u>		
	<u>6543 - N. Burlington Ave., Portland, OR 97203</u>		
Contact:	<u>Ivan Blunderman</u>	Telephone	<u>503-823-7773</u>
Relationship to the case	<u>City of Portland representative that assisted MSO Portland to identify the outfall and the locations of the drains that feed the outfall.</u>		

Person/ Agency/ Company:	_____		
Address:	_____		

Contact:	_____	Telephone	_____
Relationship to the case	_____		

Person/ Agency/ Company:	_____		
Address:	_____		

Contact:	_____	Telephone	_____
Relationship to the case	_____		

Person/ Agency/ Company:	_____		
Address:	_____		

Contact:	_____	Telephone	_____
Relationship to the case	_____		

(Local Reproduction)(01-93)

ENCLOSURE(3)

REPORT TYPE

INTERIM _____ FINAL X

ACTIVITY

OPA X

CERCLA _____

NRDA _____

INCIDENT DATA

FPN/CERCLA # 13-7039 DATE 05 JUN 98

PERIOD COVERED 28 AUG 97 TO 29 AUG 97

AGENCY REPORTING USCG UNIT REPORTING 1750 Portland OR

DESCRIPTION OF ACTIVITIES

(Attach additional pages, if needed)

1750 Portland received a report of a Sheen in the Swan
Island Lagoon. Upon investigation 35 gallons of Waste Oil
was found. FOSS Environmental was contracted to contain, cleanup
and dispose of the waste oil. Samples were taken and, with
the help from the City of Portland, a source was found that
fed into the outfall. Samples were taken from the suspected source
and sent to COIL. A positive match was made.

REPORTS ATTACHED

SHORT FORMS _____
DAILY EQUIPMENT FORMS 2

DAILY PERSONNEL FORMS 2
DAILY PURCHASE FORMS 2

KEY PARTIES

DOCUMENTATION

Name MST' Chris Baker

Agency USCG

Telephone 503-240-2583

CONTRACTOR

Name John Peterson

Agency FOSS Environmental

Telephone 503-~~240~~ 283-1150

REMARKS:

ENCLOSURE(4)

FPN/CERCLA NUMBER

13-7039

DATE _____

28 AUG 97

PARENT UNIT

1750 Portland OR

FOSC/REPLEAD TRUSTEE SIGNATURE

GOVERNMENT PERSONNEL

[illegible]

TOTAL PERSONNEL COSTS FOR THIS DATE 917.70

REMARKS:

FILE COPY (4)

(RCN-16451-1)

FOSC/REP/LEAD TRUSTEE SIGNATURE

ENCLOSURE (4)

POLLUTION INCIDENT DAILY RESOURCE REPORT

FPN/CERCLA NUMBER 13-7039

DATE 28 AUG 97

PARENT UNIT 1750 Portland OR

[Signature]
FOSC/REP/LEAD TRUSTEE SIGNATURE

PURCHASES/EXPENDABLES

Were any purchase orders completed? YES ☐ NO ☒ If yes, how many: _____
If yes, are they attached? YES ☐ NO ☒ If yes, how many: _____

If no, complete information below

DESCRIPTION OF ITEM	PURCHASE ORDER NUMBER	COST	OFFICE

TOTAL COST FOR THIS DATE: _____

TRAVEL ORDERS

Were travel orders issued? YES ☐ NO ☒ If yes, how many: _____
If yes, are copies attached? YES ☐ NO ☒ If no, complete below information
Are the liquidated travel claims attached? YES ☐ NO ☒ If yes, how many: _____
If no, submit when liquidated

NAME (LAST, FIRST)	TRAVEL ORDER NO.	ISSUED BY	EST. COST	OFFICE USE

ESTIMATED TOTAL TRAVEL COST: _____

CONTRACTORS

Are contractor services authorized for this date? YES ☒ NO ☐ If yes, list contractors hired

NAME	P.O./CONTRACT NUMBER	OFFICE USE
<u>FOSS Environment Services</u>	<u>DT6689-93-A-68F911</u>	

OTHER AGENCIES INVOLVED

(FOR FOSC or Lead Trustee Use)

Were agencies authorized to act? YES ☐ NO ☒ If yes, list other agencies and attach copy of authorization

NAME	AGREEMENT NUMBER	OFFICE USE

ENCLOSURE (+)

[Signature]
FOSC/REP/LEAD TRUSTEE SIGNATURE

[illegible]

TOTAL EQUIPMENT COSTS FOR THIS DATE 22.01

REMARKS:

ENCLOSURE (2)

POLLUTION INCIDENT DAILY RESOURCE REPORT

FPN/CERCLA NUMBER 13-7039

DATE 29 AUG 97

PARENT UNIT 1750 Portland OR

C. J. [Signature]
FOSC/REP/LEAD TRUSTEE SIGNATURE

PURCHASES/EXPENDABLES

Were any purchase orders completed? YES ☐ NO ☒ If yes, how many: _____
If yes, are they attached? YES ☐ NO ☒ If yes, how many: _____

If no, complete information below

DESCRIPTION OF ITEM	PURCHASE ORDER NUMBER	COST	OFFICE

TOTAL COST FOR THIS DATE: _____

TRAVEL ORDERS

Were travel orders issued? YES ☐ NO ☒ If yes, how many: _____
If yes, are copies attached? YES ☐ NO ☒ If no, complete below information
Are the liquidated travel claims attached? YES ☐ NO ☒ If yes, how many: _____
If no, submit when liquidated

NAME (LAST, FIRST)	TRAVEL ORDER NO.	ISSUED BY	EST. COST	OFFICE USE

ESTIMATED TOTAL TRAVEL COST: _____

CONTRACTORS

Are contractor services authorized for this date? YES ☒ NO ☐ If yes, list contractors hired

NAME	P.O./CONTRACT NUMBER	OFFICE USE
<u>FOSS Environmental Services</u>	<u>OTCG 89-93-A-68F911</u>	

OTHER AGENCIES INVOLVED

(FOR FOSS or Lead Trustee Use)

Were agencies authorized to act? YES ☐ NO ☒ If yes, list other agencies and attach copy of authorization

NAME	AGREEMENT NUMBER	OFFICE USE

ENCLOSURE(4)

JOB NUMBER:		71470		JOB NAME:		USCG Swan Island	
FIELD SERVICES -PORTLAND							
LABOR CHARGES		8/28/97	29-Aug			Total	Total
Labor Grade	RATE					Total	Charge
Proj Manager	0.00					0.0	0.00
Proj Manager-OT	0.00					0.0	0.00
Supeltem0005AA	55.00		8.00			8.0	440.00
Superv:Item 0005AB	67.00	4	2.00			6.0	402.00
Equ Op ST 0008AA	48.00	2	24.00			26.0	1248.00
Oper. OT Item 0008AB	60.00	13	9.50			22.5	1350.00
DekHnd-OT Item002AB	52.00	0				0.0	0.00
Labor ST Item 0002AA	42.00	1	24.00			25.0	1050.00
Labor OT Item 0002AB	52.00	37.5	6.50			44.0	2288.00
Tech-ot	0.00					0.0	0.00
LABOR TOTAL							6778.00
Type of						Total	Total
Equipment	RATE					Total	Charge
Pickup Item0035AA	110.00	1.00	1.00			2.0	220.00
Mileage	0.50	0.00	0.00			0.0	0.00
Van Item 0035AA	110.00	1.00	1.00			2.0	220.00
Mileage	0.00					0.0	0.00
Skiff Item 0032AC	18.00	7.00	20.00			27.0	486.00
Mileage	0.00					0.0	0.00
Vacuum Truck 70 bbl	0.00					0.0	0.00
Mileage	0.00					0.0	0.00
FRV 32'Item0032AJ	110.00	7.00	12.00			19.0	2090.00
Boom Item0048AA	1.65	1900.00				1,900.0	3135.00
Boom Tlr Item0036AB	50.00	1.00				1.0	50.00
Cell Phone itm 0047	50.00	1.00	2.00			3.0	150.00
Trash pumpItem0029AG	60.00		1.00			1.0	60.00
Backhoe	0.00					0.0	0.00
EQUIP TOTAL							6411.00
MATL CHARGES						Total	Total
Materials	RATE					Total	Charge
Level B PPE	0.00					0.0	0.00
Level C PPE	0.00						0.00
Level C change	0.00					0.0	0.00
Level D PPE	0.00					0.0	0.00
Drum 55 gallon	0.00					0.0	0.00
Drums-17HR	0.00					0.0	0.00
Visqueen	0.00					0.0	0.00
Rags Item0047	20.00		1.00			1.0	20.00
labels	0.00					0.0	0.00
ABS PadsItem0047AE	50.00	1.00	2.00			3.0	150.00
Gloves Item046AS	8.00	6.00				6.0	48.00
Abs BoomItem0047AB	133.00	1.00				1.0	133.00
Rainsuit Item0046AE	20.00	3.00				3.0	60.00
Decon Kit	0.00					0.0	0.00
MATL TOTAL							411.00
MISC CHARGES						Total	
DisposalItem0049AF	0.25	275.00				275.00	68.75
	0.00					0.00	0.00
MISC TOTAL							68.75
TOTAL							13,668.75

UNITED STATES COAST GUARD
MARINE SAFETY LABORATORY

OIL SPILL IDENTIFICATION ANALYSES
COST RECOVERY DOCUMENTATION

LABORATORY CASE NUMBER: 97-334

REQUESTOR: MARINE SAFETY OFFICE PORTLAND

UNIT CASE NUMBER: MC97012158

NUMBER OF SAMPLES: 7

COST PER SAMPLE PREPARED: \$20.00

TOTAL COSTS OF SAMPLE PREPARATION: \$140.00

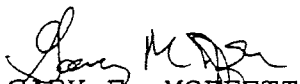
NUMBER OF ANALYSES: 16

COST PER ANALYSIS: \$86.00

TOTAL COSTS FOR ANALYSIS: \$1376.00

TOTAL COSTS: \$1516.00

This documentation is provided for purposes of Phase IV - Documentation and Cost Recovery under the National Oil and Hazardous Substances Pollution Contingency Plan(40 CFR Part 300).


GARY E. MORFETT
Chemist

DATE: 09/22/97

ENCLOSURE(6)

* UNCLASSIFIED *

R 282211Z AUG 97 ZUI ASN-GPT241000014
FM COGARD MSO PORTLAND OR
TO CCGDTHIRTEEN SEATTLE WA//M/MEP/O/CC/OPCEN//
INFO EPA SEATTLE WA//REGION X//
NOAA HAZMAT SEATTLE WA
COMCOGARD NPFC WASHINGTON DC//CM//
COMCOGARD MLC PAC ALAMEDA CA//FCP//
COGARD FINCEN CHESAPEAKE VA
BT

UNCLAS //N16465//

SUBJ: POLREP ONE, 35 GALLONS WASTE OIL, MINOR, UNKNOWN SOURCE, SWAN
ISLAND LAGOON, PORTLAND OR, WILLAMETTE RIVER, PCN-135-97, MC97012158,
FPN 13-7039.

1. SITUATION: 281440T AUG 97 RCVD REPORT FROM THE PORT OF PORTLAND OF
OIL IN SWAN ISLAND LAGOON. MSO RESPONDED AND ESTIMATED APPROX. 10
GALLONS OF BLACK OIL HAD ENTERED THE WATER. FOSS ENVIRONMENTAL
SERVICES(FOSS) WAS HIRED TO CONDUCT THE CLEANUP. CITY OF PORTLAND AND
MSO CONDUCTING INVESTIGATION TO LOCATE SOURCE. 1100 FT CONTAINMENT
BOOM DEPLOYED. MODERATE SHORELINE IMPACT EXTENDS APPROX. 600 FT.
OPERATIONS SECURED FOR EVENING. WILL RESUME CLEANUP IN MORNING.

2. ACTION:

A. 281440T AUG 97 RCVD REPORT FROM PORT OF PORTLAND OF OIL IN SWAN
ISLAND LAGOON.

B. 1450T MSO RESPONDED. DETERMINED APPROX. 10 GALLONS OF BLACK WERE
PRESENT AROUND THE PORT OF PORTLANDS DOCK. NO SOURCE EVIDENT.

C. 1515T CONTACTED D13 OPCEN TO OBTAIN FPN 13-7039 FOR \$10K.

D. 1530T CONTRACTED FOSS TO CONDUCT CLEANUP.

E. 1615T 41' UTB O/S WITH MSO ONBOARD. FOUND SHEEN AND PATCHES OF
BLACK OIL EXTENDING APPROX. 200 YDS BY 100 YDS. NEW ESTIMATE OF 35
GALLONS OIL SPILLED. OIL APPEARS TO HAVE COME FROM OUTFALL ON SHORE.
SHORELINE IMPACT EXTENDS APPROX. 600 FT.

F. 1620T CONTACTED CITY OF PORTLAND ENVIRONMENTAL SERVICES TO
INVESTIGATE POSSIBLE SOURCES THAT DISCHARGE INTO SUSPECTED OUTFALL.

G. 1720T OUTFALL BOOMED AND SORBENTS DEPLOYED.

H. 1800T CITY OF PORTLAND AND MSO LOCATE POSSIBLE SOURCES. CITY TO
CONTACT CITY DISCHARGE PERMIT MNGR. TO OBTAIN INFO. ON OILY WATER
SEPERATORS(OWS) IN VICINITY. MSO OBTAINED SAMPLE FROM SUSPECT OWS.

I. 2155T FOSS COMPLETED BOOM DEPLOYMENT. SECURED FOR EVENING.

3. FUTURE PLANS AND RECOMMENDATIONS.

A. CONTINUE CLEANUP AT FIRST LIGHT.

B. CONTINUE INVESTIGATION IN COOPERATION WITH CITY OF PORTLAND.

4. FINANCIAL DATA.

A. AUTHORIZED CEILING. \$10,000.00.

5. CASE PENDS.

BT

* UNCLASSIFIED *

R 010532Z SEP 97 ZUI ASN-GPT244000007
M COGARD MSO PORTLAND OR
TO CCGDTHIRTEEN SEATTLE WA//M/MEP/O/CC/OPCEN//
INFO EPA SEATTLE WA//REGION X//
NOAA HAZMAT SEATTLE WA
COMCOGARD NPFC WASHINGTON DC//CM//
COMCOGARD MLC PAC ALAMEDA CA//FCP//
COGARD FINCEN CHESAPEAKE VA
BT
UNCLAS //N16465//

SUBJ: POLREP TWO AND FINAL, 35 GALLONS WASTE OIL, MINOR, UNKNOWN
SOURCE, SWAN ISLAND LAGOON, PORTLAND OR, WILLAMETTE RIVER,
PCN-135-97, MC97012158, FPN 13-7039.

1. SITUATION: 290700T AUG 97 MSO PERSONNEL ARRIVED O/S. FOSS
CONTINUED CLEANUP INSIDE BOOMED AREAS UNTIL THERE WAS NO MORE
RECOVERABLE PRODUCT VISABLE. STATE CONCERED WITH CLEANUP METHODOLOGY.
INVESTIGATION CONTINUES WITH SUSPECTED SOURCE. CLEANUP SECURED 1930T.

2. ACTION:

- A. 290700T AUG 97 MSO PERSONNEL ARRIVED O/S.
- B. 0830T CLEANUP CONTRACTORS COMMENCED OPERATIONS.
- C. 1650T INCREASED FPN 13-7039 FROM \$10K TO \$17K.
- D. 1930T CLEANUP SECURED.

3. FUTURE PLANS AND RECOMMENDATIONS.

A. INVESTIGATION CONTINUES IN COOPERATION WITH CITY OF PORTLAND.

4. FINANCIAL DATA.

A. AUTHORIZED CEILING. \$17,000.00.

5. CASE CLOSED.

BT
NNNN

Posted By: AUTO	00:05:02 Sep 01, 97
Posted To:	Sep-01-97
Viewed By: EJT	15:07:34 Sep 01, 97
CJB	07:16:12 Sep 02, 97
TFC	07:35:41 Sep 02, 97

FPN 137039

Enclosure (2) to COMDTINST M4200.19E

COAST GUARD CONTRACT PAYMENT APPROVAL

CONTRACTOR: FOSS CONTRACT NO: DTCG 89-93-A-68F911

INVOICE/VOUCHER NO: 1-71470 ~~XXX~~ TO NO: DTCG 33-97-N-H40358

DATE PROPER INVOICE/VOUCHER RECEIVED: 29 Sep 97

FROM: MLCP (fcp-1), ~~Contract Specialist~~ Contracting Officer

TO: Opbb 4a, Finance Center, Accounts Payable

1. (a) ☒ Pay full amount of invoice/voucher \$ 13,668.75 or

(b) ☐ Pay \$ _____ and retain \$ _____

Reason for retainage _____

2. (a) ☐ Complete DAFIS numbers (must contain 16 characters each):

DAFIS NO: 2497337H40358 \$ _____
DAFIS NO: _____ \$ _____
DAFIS NO: _____ \$ _____

OR

(b) ☐ The accounting data for this invoice/voucher is as follows:

DAFIS NO. (13 characters only) _____ AND
Accounting line: _____ \$ _____
Accounting line: _____ \$ _____
Accounting line: _____ \$ _____

3. The contract/order balance after this payment is \$ 331.25

TYPE PAYMENT: FINAL PARTIAL ~~COST REIMBURSEMENT~~ ~~PROGRESS~~

CONTRACT FINANCING? Y X N ASSIGNMENT OF CLAIMS? Y X N

DISCOUNT FOR PROMPT PAYMENT: 10 DAYS 20 DAYS 30 DAYS DAYS
_____ % _____ % _____ % _____ %

PAYMENT TERMS: 30 DAYS

ACCEPTANCE DATE 29 Sep 97 COTR INITIALS _____
(optional)

ADDITIONAL COMMENTS:

Signature: Robert A. Townsend Date: 22 Oct 97
~~Contract Specialist~~ Contracting Officer

For payment questions contact: ROBERT TOWNSEND, (510) 437-3009, R. TOWNSEND/MLCPT
-Name Telephone E-mail address

FOSS ENVIRONMENTAL SERVICES5420 N Lagoon
Portland OR 97217REMIT TO: DEPT. 5251, PO BOX 34936
SEATTLE, WA 98124-1936

Invoice Date:	Sept. 10, 1997	Invoice #:	I-71470
		FES Job #:	71470
		Customer PO#:	Fed#13-7039
Customer:	USCG	Contact:	Parsons
	Marine Safety Office	Phone:	240-9317
	6767 N. Basin Ave.	Fax:	
	Portland, OR. 97217	Terms:	Net 30 Days

Job Description: Cleanup oil spill in Lagoon around Port navigation offices
and Thompson Pass.

Job Location: Deploy containment boom at direction of Coast Guard
Swan Island Lagoon, Portland, Oregon

Job Date (s): 8/28, 8/29

Progress Billing: _____

Final Billing: X

QUANTITY	DESCRIPTION	UOM	UNIT PRICE	EXTENDED PRICE
1	Labor see attached detail	EA		\$6,778.00
1	Equipment (see attached detail)	EA		\$6,411.00
1	Material (see attached detail)	EA		\$411.00
1	Misc. (see attached detail)	EA		\$68.75
1		EA		
1		EA		

INVOICE SUBTOTAL	\$13,668.75
TAX	
TOTAL INVOICE	\$13,668.75

THANK YOU FOR YOUR BUSINESS

FOSC CERTIFICATIONFPN 13-7039

I certify that these services and materials were
authorized by me as Phase III response actions.
Reasonable costs relate thereto are proper for payment
from the OSLTF.

BMU ON SCENE COORDINATOR 29 SEP 97 DATE

Acting

Currency: USD

[Signature]
Supervisor Signature
503-978-7282
Direct Phone

FED ID #: 81-1572532

A 1.5% PER MONTH FINANCE CHARGE WILL BE CHARGED FOR ALL PAST DUE INVOICES

CC: ACCOUNTING

ENCLOSURE(1)

RAPIDRAFT LETTER

MAY BE TYPED
OR
HANDWRITTEN

INSTRUCTIONS

ORIGINATOR - Use for routine correspondence not requiring action, review, or comment by officers in the chain of command.

ADDRESSEE - Reply on here, returning original to originator. Keep file copy for your files.

TO:

STAFF SYMBOL/SSIC/PHONE

16465
(503) 240-9379

• Commander (fcp-1)
Maintenance & Logistics COMPAC
Bldg 54-A, Coast Guard Island
Alameda, California 94501-5100

DATE

25SEP97

Subj: EXPENDITURES FROM OSLTF, CASE NUMBER 13-7039

1. Enclosed is the Foss Environmental Services Invoice I-71470 for the federally funded response to an oil spill in the Swan Island Lagoon, Portland, Oregon. It is forwarded to you for inclusion with the original invoice for submission to the Finance Center for payment. This is final payment.

2. If there are any questions please contact the Marine Safety Office, Port Operations Branch at (503) 240-9379.


E. W. PARSONS
By direction

Encl: (1) Invoice 1-71470 dated 10SEP97
(2) OF-347 dated 24SEP97

SEP 25 1997
MARINE SAFETY OFFICE
PORT OPERATIONS BRANCH
503 240-9379

FROM:

• Commanding Officer
Marine Safety Office
6767 North Basin Ave.
Portland, OR 97217-3992

DO NOT USE
FOR
CLASSIFIED CORRESPONDENCE

PREVIOUS EDITION MAY BE USED
SN7530-00-FO1-5310

ORDER FORM FOR SUPPLIES OR SERVICES

PAGE 1 OF 001

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 9/97	2. CONTRACT NO. (If any) DTCG8993A68F911	3. ORDER NO. DTCG33-97-N-HYD358	4. REQUISITION/REFERENCE NO. 2497337HYD358
5. OFFICE (Address correspondence to) COMANDING OFFICER/ATTN: PORT OPS SCG GROUP/MSO PORTLAND 767 N. BASIN AVE. PORTLAND, OR 97217		6. SHIP TO: (Consignee and address, ZIP Code) SAME AS BLOCK 5	
TO: CONTRACTOR (Name, address and ZIP Code) FOSS ENVIRONMENTAL SERVICES ATTN: JOHN PETERSON PHONE: (503) 283-1150 5420 N. LAGOON AVE PORTLAND OR 97217 EDI: N Tax Id: B239641		8. TYPE OF ORDER <input type="checkbox"/> A. PURCHASE - Reference your Please furnish the following on the terms and conditions specified on page 1 and 2 of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of: TITLE 10 USC 2304 (a) (3) <input checked="" type="checkbox"/> B. DELIVERY - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of the form and is issued subject to the terms and conditions of the above-numbered contract.	

ACCOUNTING AND APPROPRIATION DATA

1/H/SZ/113/95/0/137039/33270/2523/14000.00

10. REQUISITIONING OFFICE

PORT OPERATIONS BRANCH

11. BUSINESS CLASSIFICATION (Check appropriate box(es))

<input type="checkbox"/> SMALL	<input checked="" type="checkbox"/> OTHER THAN SMALL	<input type="checkbox"/> DIS-ADVANTAGED	<input type="checkbox"/> WOMEN-OWNED
--------------------------------	--	---	--------------------------------------

1. F.O.B. POINT

Destination

2. PLACE OF INSPECTION AND ACCEPTANCE

AT DESTINATION

14. GOVERNMENT B/L NO.

15. DELIVER TO F.O.B. POINT

ON OR BEFORE (Date)

09/24/97

16. DISCOUNT TERMS

Net 30 Fast Pay N

% Days

Excl:\$

17. SCHEDULE (See Page 2 for Rejections)

ITEM NO. (A)	SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
01	The contractor shall provide equipment, personnel, and vessels to conduct response efforts as directed by the Federal On-Scene Coordinator in support of FPN 13-7039. Period of performance is approximately 28 AUG 97. Swan Island Terms and Conditions of the Basic Ordering Agreement (block 2) apply. Contractor shall not exceed the ceiling price of this Task Order without authorization from the Contracting Officer. FPN 13-7039	1	JB	14000.00	\$14000.00	

18. SHIPPING POINT

19. GROSS SHIPPING WEIGHT

20. INVOICE NO.

17(H).TOT.

(Cont. pages)

21. MAIL INVOICE TO: (Include ZIP Code)

SEE SECTION G OF THE BASIC ORDERING AGREEMENT

\$14000.00

17(I).GRAND TOTAL

23. NAME (Typed)

M. J. HALL, CAPTAIN, USCG

TITLE: CONTRACTING/ORDERING OFFICER

UNITED STATES OF AMERICA
BY (Signature)

ENCLOSURE (2)

DRAFT

Steven F. Hill
hills@millernash.com
(503) 205-2456 direct line

December 7, 1998

VIA FACSIMILE (703) 235-4837

John Queen
Chief Warrant Officer
U.S. Coast Guard
National Pollution Funds Center
4200 Wilson Blvd.
Arlington, Virginia 22203-1804

Subject: Claim Against Pacific Detroit Diesel-Allison Company ("PDDA")
Federal Project Number 137039
Our File No. 159120-0037

Dear CWO Queen:

On November 4, 1998, I spoke with Commander Pat Ryan regarding the above-referenced claim (FPN 137039) against PDDA. We explained that PDDA disputes that it is responsible for the entire cost of FPN 137039. Commander Ryan suggested that we send to you PDDA's formal dispute of this matter. This letter is intended to serve that purpose.

In reviewing the backup documentation that you provided to support the Coast Guard's claim, we noted a number of discrepancies that do not correspond with the facts known by PDDA or otherwise support the Coast Guard's position that PDDA is liable for the entire cleanup costs incurred in FPN 137039. These discrepancies are as follows:

1. The Coast Guards' Incident Report and Transmittal dated June 5, 1998, states that the quantity of waste oil that was discovered in the Swan Island Lagoon in Portland, Oregon, was approximately 35 gallons. This quantity of waste oil could not possibly have come from PDDA's facility. According to the signed statement by Jim Parchert, PDDA's Environmental Safety and Facility Manager, which was submitted to the Coast Guard two days after the alleged incident (see enclosed), a hose connection on PDDA's oil water separator tank failed, allowing dirty water to flow into the storm drain sewer at its site. Mr. Parchert was on site at the time and observed the following:
 - (a) the hose connection came from the bottom of the oil water separator tank;

- (b) the leak was repaired before the level of separated, floating oil was reached;
- (c) oil absorbing booms were placed around the stormwater drain; and
- (d) the oil absorbing booms surrounding the stormwater drain did not show any signs of oil in the "dirty" water that entered the storm drain.

These facts are directly contrary to the Coast Guard's conclusion that 35 gallons of waste oil had reached Swan Island Lagoon from PDDA. Even if a small amount of oil had been released from PDDA's oil water separator tank during the above-described incident, there is no way that the quantity would equate to 35 gallons of waste oil.

2. The alleged source of the waste oil in the Swan Island Lagoon was a stormwater outfall, which serves multiple businesses in the Swan Island Lagoon area. Any one of these businesses could have been the source of the contamination. To our knowledge, there is no evidence suggesting that one or more of the other businesses was not primarily responsible for the waste oil in the Swan Island Lagoon. Therefore, it is impossible to pinpoint the source as being PDDA.
3. According to PDDA, the incident involving the hose connection on its oil water separator occurred at 1530 hrs on August 27, 1997. The first call to the Coast Guard did not occur until 1440 hrs on August 28, 1997, nearly 24 hours after PDDA's hose connection failed. If 35 gallons of waste oil had been spilled by PDDA, it is unlikely that would have taken nearly 24 hours for someone to observe the oil in the Swan Island Lagoon. Therefore, it would appear that there was another, much more severe release of waste oil into the Swan Island Lagoon after the incident at PDDA.
4. The information we have reviewed contains no chain of custody for the samples analyzed at the Coast Guard's Marine Safety Laboratory ("MSL") from the date the samples were taken to the date they were mailed to the MSL. There appears to be no record of how the samples were handled or stored during the two weeks between the date of their collection and the date of their mailing to the MSL. This lack of chain of custody causes PDDA to question the validity of the laboratory analysis of the alleged samples taken and the use of such samples to establish PDDA's liability.
5. The MSL's analysis concludes that the waste oil is similar to the waste oil contained PDDA's oil water separator tank. It is PDDA's belief that waste oil in most oil water separators would be similar to the sample found in the Swan Island Lagoon. Therefore, the similarity with PDDA's waste oil is inconclusive to prove

John Queen

- 3 -

December 7, 1998

that the oil found in the Swan Island Lagoon, in fact, came from PDDA's oil water separator tank.

For the foregoing reasons, PDDA disputes that it is responsible for 100 percent of the invoiced cost for cleaning up the oil found in the Swan Island Lagoon in late August 1997. PDDA is willing to discuss a reasonable resolution of these matters. If you would like to discuss an equitable resolution of the Coast Guard's claim, please contact me at (503) 224-5858.

Very truly yours,

Steven F. Hill

cc: Mr. Kevin Burnette
Mr. Jim Parchert
HILL, S.:vcb
File No.: 159120-0037
Doc ID: PDXDOCS:1046802.1

U.S. Department
of Transportation

United States
Coast Guard



Director
United States Coast Guard
National Pollution Funds Center

4200 Wilson Blvd. Suite 1000
Arlington, VA 22203-1804
Staff Symbol: CM
Phone: (703) 235-4765
FAX: ()

7270
April 16, 1999

Pacific Detroit Diesel-Allison
Attn: Jim Parchert
5061 - N. Lagoon Ave.
Portland, OR 97217

RE: Pacific Detroit Diesel-Allison
FPN: 137039

Gentlemen:

The U.S. Coast Guard acknowledges receipt of check number 545 in the amount of \$16,876.55 in payment of bill number 137039-001-98.

Sincerely,

A handwritten signature in black ink, appearing to read "John Queen", written over a horizontal line.

JOHN QUEEN
U.S. Coast Guard
Case Officer